

REMARKS

Claims 1-3 are pending in the present application. The title and claims 1-3 have been amended to correct typographic errors and/or to further clarify the subject matter recited therein. No new matter is added by the amendments, which find support throughout the specification and figures. In view of the amendments and the following remarks, favorable reconsideration of this application is respectfully requested.

The Office Action objects to the title of the invention as not descriptive. This amendment replaces the title and respectfully submits that the new title clearly indicates the invention to which the claims are directed. It is therefore respectfully requested that the objection to the title be withdrawn.

Claims 1-3 are objected to based on several informalities. Claims 1 and 2 are amended as suggested by the Examiner and it is therefore respectfully submitted that the objection to the claims be withdrawn.

Claims 1-3 are rejected under 35 USC 102(b) as being anticipated by United States Patent No. 5,794,210 to Goldhaber et al. (hereinafter Goldhaber). Applicant respectfully traverses.

Claim 1 relates to an advertisement information supplying system for supplying advertisement information via a computer network to a terminal apparatus of an advertisement viewer. The system of claim 1 includes, *inter alia*, an advertisement information supplying means for judging as to whether or not said selected storage apparatus is operative. The advertisement information supplying means also supplies the advertisement information related to the advertisement owner stored in said selected storage apparatus to the terminal apparatus of the advertisement viewer in case that it is judged that the selected storage apparatus is operative. The advertisement information supplying means further ***supplies the advertisement information***

related to the advertisement owner stored in an operative storage apparatus other than the selected storage apparatus in case that it is judged that the selected storage apparatus is not operative.

Goldhaber does not disclose or suggest an advertisement information supplying means that supplies the advertisement information related to the advertisement owner stored in an operative storage apparatus other *than the selected storage apparatus* in case that it is judged that the selected storage apparatus *is not operative*. The Examiner asserts that Goldhaber discloses that “upon accessing the network 102 (Internet) and inputting by the user or viewer the URL address of a web site related to the server 106, if the server 106 is down or otherwise inaccessible, then the network will return an error message and no ads are presented to the viewer or displayed on the viewer’s computer 104.” (Office Action; page 6, lines 7-10). The Examiner apparently presents this in support of Goldhaber purportedly disclosing a system that judges whether the storage apparatus is operative. Without conceding the veracity of this assertion, Applicant respectfully submits that Goldhaber does not disclose or suggest an advertisement information supplying means that supplies the advertisement information related to the advertisement owner stored *in an operative storage apparatus other than the selected storage apparatus in case that it is judged that the selected storage apparatus is not operative*. Therefore, for at least this reason, claim 1 is allowable over Goldhaber.

Claims 2 and 3 include features similar to the features discusses above in regard to claim 1 and are therefore allowable at least for the same reasons as claim 1 is allowable.

CONCLUSION

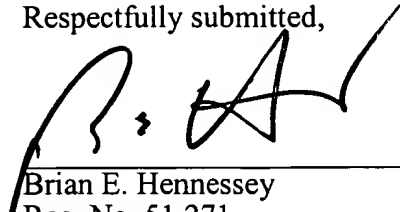
In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner

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should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290..

Respectfully submitted,



Brian E. Hennessey
Reg. No. 51,271

CUSTOMER NO.: 026304

Telephone: (212) 940-8800

Fax: (212) 940-8986/8987

ATTORNEY DOCKET NO.: SCET 18.700

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